



STATE PROCUREMENT OFFICE  
NOTICE OF REQUEST FOR EXEMPTION  
FROM HRS CHAPTER 103D

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STATE PROCUREMENT OFFICE  
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: DLNR, DOFAW-Makiki Baseyard  
*Name of Requesting Department*

Pursuant to HRS §103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction:  
Food provisions for year-round Kure Atoll remote field camp.

2. Vendor/Contractor/Service Provider: Foodland, Safeway, Times, Costco, Sam's Club, Kokua Country Market, Down to Earth, Whole Foods, Don Quijote, Target, K-mart, Walmart, Y. Hata & Co.  
8-6-13 date (8-21-13)

3. Amount of Request: \$ 35,000 annually, total, spread among numerous vendors. No one vendor to exceed \$15,000. *8-21-13*

4. Term of Contract: From: ~~8/1/13~~ To: 8/1/14

5. Prior SPO-007, Procurement Exemption (PE):

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:  
See attached justification.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:  
Vendors are selected first by availability of desired products and cost competitiveness. Items that can be purchased in bulk are, in order to reduce costs and unnecessary packaging/processing. Purchasing occurs at numerous vendors located locally.

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).  
\*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Agency	Phone Number	e-mail address
David G Smith <i>DGS</i>	DLNR/DOFAW	973-9787	David.G.Smith@Hawaii.gov

All requirements/approvals and internal controls for this expenditure is the responsibility of the department.  
I certify that the information provided above is, to the best of my knowledge, true and correct.

*[Signature]* 7/26/13  
Department Head Signature Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: 8.7.13

Inquiries about this request shall be directed to the contact named in No. 8. Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

[state.procurement.office@hawaii.gov](mailto:state.procurement.office@hawaii.gov)

**Chief Procurement Officer (CPO) Comments:**

Approval is granted for the period 08/06/13 to 08/01/14 based on the understanding that the department is unable to determine the various needs for its year round field camp to Kure Atoll Wildlife Sanctuary. Conducting a competitive procurement in the time frame of when personnel are selected to determine what needs to be purchased and when the items need to be shipped out is not practicable.

This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System. Copies of the HCE certificate and awards posting are required to be documented in the procurement/contract file.

Department is reminded that individual(s) participating in procurement activities must be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, *Statewide Procurement Training*, as appropriate. If there are any questions, please contact Donn Tsuruda-Kashiwabara at 586-0565 or donna.tsuruda-kashiwabara@hawaii.gov.

☒ Approved

☐ Disapproved

☐ No Action Required

 8/22/2013  
Chief Procurement Officer Signature Date

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

Kure Atoll Wildlife Sanctuary is located 1,160 miles from Honolulu at the end of the Northwest Hawaiian Island chain. The State Division of Forestry and Wildlife maintains a year-round field camp on the island consisting of staff, interns and volunteers who perform habitat research, restoration and management activities on the island and in the surrounding waters.

In order to maintain the camp, the Kure Atoll project needs to purchase up to six months' worth of food for five to six researchers and natural resource managers prior to deploying the field camps. Due to the extremely remote location, limited resupply opportunities exist, and all food for the duration of the trip must be purchased, sorted, repackaged, and then packed in waterproof containers, typically 5-gallon buckets, for transport to the island prior to the trip.

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The project purchases food for five to six field camp staff, two times per year. The staff and volunteers typically have a diversity of diets and food preferences, so a wide variety of food-stuffs are purchased from numerous vendors. ~~Logistics personnel do their best to spread the purchasing between vendors in an attempt to comply with small purchase requirements. However, since going from a six month field camp to a year round camp, it is not possible to remain below the \$5,000 small purchase threshold for all vendors for a one calendar year period, and still procure all the supplies needed.~~

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The wide variety of food purchased means that no one vendor can supply all the items needed, and specifying the order list to a biddable format would be a daunting task. The retail market is competitive enough that very little overall variance in price occurs between vendors, and the cost to the state to itemize the shopping list, specify all the variables, get three prices, sort through the variance in prices and availability, etc would not be advantageous to the state, in terms of personnel costs versus purchase cost-benefit. Care is taken to purchase food and supplies in the most cost effective manner possible, but in-store determinations must frequently be made to select the most healthy alternatives in any product category. ~~Not all vendors will exceed \$5,000 in a one year period. None will exceed \$15,000.~~ Diversity of the shopping list, which changes for each trip, necessitates use of a wide variety of vendors.

Purchasing of supplies occurs approximately a month before deployment due to limited storage space, so timeliness is crucial, with delays not an option due to rigid ship schedules. Flexibility in spending thresholds will allow for cost effective shopping.